

USSN: 10/714,751
Group Art Unit: 3643
Docket No.: 117P1846US01

Interview Summary

A telephone interview occurred on April 21, 2005 between the Examiner and Robin A. Sannes, representative for the Applicants. Applicants would like to thank the Examiner for the courtesies extended during the interview. No exhibits were shown and no demonstrations were conducted. The Examiner and Ms. Sannes discussed a proposed amendment to claim 1 and U.S. Patent 6,016,623 to Celestine. The proposed amendment to claim 1 is reflected in this Amendment After Final, and it was discussed that Celestine requires the rodent box 40 to contain and prevent escape of the rodent because the insertion opening 18 would allow the rodent to escape if the rodent box 40 were not present. The present invention contains and prevents escape of the rodent without an insert receptacle. Although an agreement was not reached between the Examiner and Ms. Sannes, the Examiner requested that an Amendment After Final be submitted for consideration to advance prosecution of this application.

Remarks

Claims 1-51 are pending in this patent application. Claims 1-48 have been rejected, and claims 49-51 have been withdrawn from consideration.

The Examiner has rejected claims 1, 7, 12, and 13 under 35 U.S.C. 102(b) as being anticipated by Celestine. The Examiner has rejected claims 2, 4-6, 8, 9, 11, and 14-48 under 35 U.S.C. 103(a) as being unpatentable over Celestine.

It is respectfully requested that the claims as amended herein be entered and allowed as they are patentable over Celestine. The claims have been amended to clarify the differences between the present invention and Celestine. Celestine requires the rodent box 40 to contain and prevent escape of the rodent because the insertion opening 18 would allow the rodent to escape if the rodent box 40 were not present. The present invention contains and prevents escape of the rodent without an insert receptacle as is reflected in the claims.

Further, the ramp 14 of Celestine does not prevent contaminants from entering the trap assembly 30 and the cavity because the ramp 14 is not contained within the interior 15 of the trap 10 and the trap assembly 30 is completely exposed. The ramp 14 must be opened to extend

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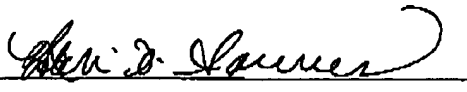
outward from the trap 10 during use. As recited in claim 4, the climbing assisting members are positioned between the wall portion and the front portion, between the floor portion and the top portion, and between the sides. The climbing assisting members are protected by the wall portion, the front portion, the floor portion, the top portion and the sides thereby protecting the elevated trap assembly proximate the top of the climbing assisting members. The protected elevated trap assembly prevents contaminants from entering the cavity.

As recited in claims 4 and 16, the climbing assisting members also provide structure for preventing escape of the rodent from the cavity. As previously discussed, Celestine requires the rodent box 40 to prevent escape of the rodent. The ramp 14 of Celestine does not provide any structure for preventing escape of the rodent.

The Examiner has rejected claims 3 and 10 under 35 U.S.C. 103(a) as being unpatentable over Celestine as applied to claim 1 and further in view of Denny et al. Because claim 3 depends upon claim 1, which Applicants respectfully request be allowed, it is respectfully requested that claim 3 also be allowed. Because claim 10 depends upon claim 8, which Applicants respectfully request be allowed, it is respectfully requested that claim 10 also be allowed.

Favorable consideration of this Amendment After Final is respectfully requested. Should the Examiner wish to discuss this matter, the Examiner is welcome to contact the under-signed representative for the Applicants.

Respectfully submitted,
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